

MONDAY, FEBRUARY 15, 1982

SIXTY-NINTH LEGISLATIVE DAY

The House met at 6:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Harold Searcy, Mays Chapel Baptist Church, Mt. Juliet, Tennessee.

Representative Bell (Wilson) led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1961; also, Senate Joint Resolutions Nos. 217 and 219; all for the

signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bill No. 1961; and Senate Joint Resolutions Nos. 217 and 219.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 98; and House Joint Resolution No. 299; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 1496 and 1505; also, Senate Joint Resolutions Nos. 180, 181, 182, 184, 185, 186, 189, 192, 193 and 194; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Resolution No. 98; House Joint Resolution No. 299; Senate Bills Nos. 1496 and 1505; and Senate Joint Resolutions Nos. 180, 181, 182, 184, 185, 186, 189, 192, 193 and 194.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No.:

1459--To amend Tennessee state songs; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**CALENDAR**

Mr. Wallace moved that House Bill No. 1100 be placed on the Calendar for Monday, February 22, 1982, which motion prevailed.

House Bill No. 1332--To amend Title 67, Chapter 20, Code.

Mr. Wallace moved that House Bill No. 1332 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1332 by deleting the words and figures:

"two dollars (\$2.00)" wherever they appear in the amendatory language of Section 1, and by substituting instead the words and figures "five dollars (\$5.00)".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1332, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Henry (Roane) and McKinney--2.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 1464

House Bill No. 1464--To require reports on activities of nonprofit corporations.

Mr. Rhinehart moved that House Bill No. 1464 be passed on third and final consideration.

Mr. Stafford moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 1464 by substituting for the language "Department of Revenue" in the first sentence of Section II, the following:

Secretary of State

and further amend by substituting for the language "Commissioner of Revenue" and "Commissioner" in the first sentence of Section 3, the following:

Secretary of State                      Secretary

and further amend by substituting for the language of the first two sentences of Section 4, the following:

The Secretary of State shall be required to file an annual report with the General Assembly and the Attorney General as to the activities of not-for-profit corporations. The Secretary shall also report to the Commissioner of Revenue and the Attorney General any not-for-profit corporation that the Secretary has reason to believe has violated any state law or has engaged in activity at substantial variance from its not-for-profit or tax exempt status.

and further amend by adding a new section as follows:

Notwithstanding any other provision of law to the contrary, no other provision of this chapter shall apply to any domestic or foreign corporation not for profit, as those terms are defined at Section 48-102 (i), (m).

On motion, the amendment was adopted.

Thereupon, House Bill No. 1464, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	50
Noes . . . . .	37
Present and not voting . . . . .	7

Representatives voting aye were: Baker, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Duncan, Hillis, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Moore, Murphy (Davidson), Murray, Pruitt, Rhinehart, Severance, Sir, Small, Spence, Stallings, Sterling, Turner, Wallace, Webb, Whitson, Withers, Wolfe, Wood, Work and Mr. Speaker McWherter--50.

Representatives voting no were: Akard, Bell (Wilson), Chiles, Davis (Hamilton), Disspayne, Duer, Ellis, Ford, Harrill, Henry

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(Roane), Hudson, Hurley, Huskey, Johnson, Jones, Kent, Montgomery, Naifeh, Percy, Phillips, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Smith, Stafford, Starnes, Tanner, Ussery, Wheeler, Wix and Yelton--37.

Representatives present and not voting were: Clark (Davidson), Clark (Sumner), Covington, Frensley, Henry (Blount), Miller and Owen--7.

A motion to reconsider was tabled.

House Bill No. 1749--To define West Tennessee Tributaries Project.

Mr. Dills moved that House Bill No. 1749 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

House Bill No. 1432--To change official state songs of Tennessee.

On motion, House Bill No. 1432 was made to conform with Senate Bill No. 1459.

On motion, Senate Bill No. 1459, on same subject, was substituted for House Bill No. 1432.

Mr. Carter moved that Senate Bill No. 1459 be passed on third and final consideration.

Mr. McKinney moved that Senate Bill No. 1459 be placed on the Calendar for Monday, February 22, 1982.

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Mr. Carter moved that the motion be tabled, which motion prevailed by the following vote:

Ayes . . . . .	87
Noes . . . . .	5
Present and not voting . . . . .	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood and Work--87.

Representatives voting no were: Bragg, Burnett, Cobb, DeBerry and McKinney--5.

Representatives present and not voting were: Dills, Lashlee, Wallace and Yelton--4.

Mr. Ellis moved the previous question, which motion prevailed.

Thereupon, Senate Bill No. 1459 passed its third and final consideration by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

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Mr. Withers moved that House Bill No. 916 be placed on the Calendar for Monday, February 22, 1982 which motion prevailed.

Mr. McKinney moved that the House adjourn until 2:00 p.m. Wednesday, February 17, 1982, which motion failed.

House Bill No. 1760--To set requirements, certain constables.

Mr. Wallace moved that House Bill No. 1760 be passed on third and final consideration.

Mr. Stallings moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1760 by deleting Section 2 in its entirety and by substituting instead the following language:

SECTION 2. Tennessee Code Annotated, Section 8-10-101 (a) (2), is further amended by inserting the following language immediately following the symbols, numbers, and punctuation "(30,500)," and immediately preceding the words "according to the 1970 federal census":

"or not less than eighteen thousand three hundred (18,300) nor more than eighteen thousand four hundred (18,400), or not less than eighteen thousand two hundred (18,200) nor more than eighteen thousand three hundred (18,300), or not less than fourteen thousand four hundred (14,400) nor more than fourteen thousand five hundred (14,500),".

On motion, the amendment was adopted.

Mr. Wallace moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 1760 by deleting from the amendatory language of Section 1 the figures and symbols "(65,000)" and by substituting in lieu thereof the following:

"(65,700)".

On motion, the amendment was adopted.

Mr. Shockley moved to amend as follows:

**AMENDMENT NO. 3**

Amend House Bill No. 1760 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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SECTION \_\_\_\_\_. The provisions of this act shall also apply in counties having a population of

not less than

nor more than

50,175

50,275

49,275

49,375

43,700

43,800

41,400

41,500

according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Ford moved to amend as follows:

**AMENDMENT NO. 4**

Amend House Bill No. 1760 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall also apply in any county having a population of not less than 28,750 nor more than 28,800 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1760, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb,



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Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --91.

Representative voting no was: McKinney--1.

A motion to reconsider was tabled.

### **CONSENT CALENDAR**

#### **OBJECTIONS**

Objections were filed to the following bills and resolutions on the Consent Calendar:

Mr. Severance objected to House Joint Resolution No. 334.

Mrs. Duer objected to House Bill No. 1654.

Mr. Speaker McWherter objected to House Bill No. 1801.

Under the rules, House Joint Resolution No. 334 and House Bills Nos. 1654 and 1801 were placed at the foot of the Calendar for Wednesday, February 17, 1982.

Senate Joint Resolution No. 195--Relative to memory, Roy Wilkins.

Senate Joint Resolution No. 197--Relative to sympathy, Walter Stokes, Jr.

Senate Joint Resolution No. 198--Relative to congratulating Clinton High School Marching Band.

Senate Joint Resolution No. 202--Relative to commending Senator Johnny V. Crow.

Senate Joint Resolution No. 203--Relative to memory, John Cox.

Senate Joint Resolution No. 206--Relative to memory, Edward Spitzer.

Senate Joint Resolution No. 207--Relative to appreciation, Len G.Broughton, Jr.

Senate Joint Resolution No. 209--Relative to commending H. David Cate.

House Joint Resolution No. 325--Relative to honoring W. R. Kinton, Jr.

House Joint Resolution No. 326--Relative to honoring Tsoyaha Indian Dance Team.

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House Joint Resolution No. 328--Relative to honoring Mayor Charles Huggins.

House Joint Resolution No. 329--Relative to honoring Debra Carter.

Senate Joint Resoluion No. 170--Relative to commending Wanda L. Moody.

House Resolution No. 97--Relative to congratulating Gill Gideon.

House Joint Resolution No. 330--Relative to commending Alpha Phi Omega fraternity, UT-Martin.

House Joint Resolution No. 332--Relative to memory, Will Evers.

House Joint Resolution No. 333--Relative to memory, Captain Willie Mays.

House Bill No. 1643--To regulate motor vehicle privilege tax, Marshall County.

House Bill No. 1737--To incorporate Silerton, Hardeman County.

House Bill No. 1745--To regulate Board of Education, Lauderdale County.

House Bill No. 1764--To create finance and budget committee, Greene County.

House Bill No. 1765--To authorize tax on certain products, Unicoi County.

House Bill No. 1766--To regulate operation of watercraft, Nolichucky River.

House Bill No. 1767--To regulate board of equalization, Unicoi County.

House Bill No. 1770--To regulate Jefferson County, Board of Education.

House Bill No. 1793--To set compensation, general sessions judges, Blount County.

House Bill No. 1826--To set compensation, general sessions judge, Sumner County.

House Bill No. 1876--To make certain provisions, Bristol city charter.

House Bill No. 1877--To provide for election of mayor, Bristol.

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House Bill No. 1888--To change litigation tax, Hickman County.

House Bill No. 1892--To amend Charter of Kingsport.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	98
Noes . . . . .	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --98.

A motion to reconsider was tabled.

**RESOLUTION LYING OVER**

Senate Joint Resolution No. 218--Relative to appreciation, Sarah Elizabeth Hawkins.

Under the rules, Senate Joint Resolution No. 218 was referred to the Committee on Calendar and Rules.

**FURTHER CONSIDERATION OF SENATE BILL NO. 323**

Senate Bill No. 323--To authorize pictured drivers' licenses.

Mr. Jared moved that the House pass Senate Bill No. 323, notwithstanding the objections of the Governor.

Mr. Copeland moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	79
Noes . . . . .	13
Present and not voting . . . . .	3

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Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Stallings, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton--79.

Representatives voting no were: Bell (Knox), Bragg, Crain, Duncan, Harrill, Henry (Blount), Rhinehart, Robertson, Scruggs, Small, Smith, Stafford and Turner--13.

Representatives present and not voting were: Kernell, Spence and Mr. Speaker McWherter--3.

Thereupon, the motion to pass Senate Bill No. 323, the objections of the Governor notwithstanding, failed by the following vote:

Ayes . . . . .	45
Noes . . . . .	51
Present and not voting . . . . .	1

Representatives voting aye were: Bivens, Brewer, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davis (Gibson), Davis (Hamilton), DeBerry, Disspayne, Ellis, Frensley, Gaia, Gill, Jared, Johnson, Jones, King (Shelby), Lashlee, Love, McKinney, McNally, Montgomery, Moore, Murphy (Davidson), Naifeh, Owen, Richardson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Shockley, Sir, Small, Spence, Stallings, Tanner, Webb, Wheeler, Withers, Wix and Yelton--45.

Representatives voting no were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bragg, Buck, Burnett, Carter, Clark (Sumner), Copeland, Davidson, Davis (Pickett), DePriest, Dills, Duer, Duncan, Ford, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, Martin, Miller, Murray, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Washington), Scruggs, Smith, Stafford, Sterling, Turner, Ussery, Wallace, Whitson, Wolfe, Wood, Work and Mr. Speaker McWherter--51.

Representative present and not voting was: Kernell--1.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

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1372--To limit state programs, availability of funds;

1449--To amend Charter, Huntingdon Special School District;

1509--To amend Chapter 286, Private Acts, 1957; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**RECESS**

On motion of Mr. Carter, the House recessed for the purpose of hearing the Osborne Brothers perform their hit record and the newly designated State Song, "Rocky Top."

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition.

House Bill No. 474--Miller

House Bill No. 1332--Hurley

House Bill No. 1432--Kent

House Bill No. 1542--McNally

House Bill No. 1543--McNally

House Bill No. 1544--McNally

House Bill No. 1637--Wolfe, McNally

House Bill No. 1741--Kelley

House Bill No. 1881--Rhinehart

House Bill No. 1882--Bewley

House Joint Resolution No. 334--Davis (Gibson), Smith, Miller

**SPONSORS REMOVED**

On motion of Mr. Bivens, his name was removed as sponsor of House

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Bill No. 1928.

On motion of Mr. Whitson, his name was removed as sponsor of House Bill No. 1913.

**MOTIONS**

On motion of Mr. Ellis, House Bill No. 1557 was recalled from the Committee on Labor and Consumer Affairs.

On motion of Mr. Ellis, House Bill No. 1557 was withdrawn from the House.

On motion of Mr. Sir, House Bill No. 1460 was recalled from the Committee on Transportation.

On motion of Mr. Sir, House Bill No. 1460 was withdrawn from the House.

On motion of Ms. Montgomery, House Bill No. 1569 was recalled from the Committee on Labor and Consumer Affairs.

On motion of Ms. Montgomery, House Bill No. 1569 was withdrawn from the House.

On motion of Mr. Yelton, House Bill No. 954 was recalled from the Committee on State and Local Government.

On motion of Mr. Yelton, House Bill No. 954 was withdrawn from the House.

On motion of Mr. Pickering, House Bill No. 1607 was recalled from the Committee on State and Local Government.

On motion of Mr. Pickering, House Bill No. 1607 was withdrawn from the House.

On motion of Mr. Harrill, House Bill No. 351 was recalled from the Committee on State and Local Government.

On motion of Mr. Harrill, House Bill No. 351 was withdrawn from the House.

On motion of Mr. Tanner, House Bill No. 1828 was recalled from the Committee on State and Local Government.

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On motion of Mr. Tanner, House Bill No. 1828 was withdrawn from the House.

On motion of Ms. Robinson (Washington), House Bill No. 1033, was recalled from the Committee on Agriculture.

On motion of Ms. Robinson (Washington) House Bill No. 1033 was withdrawn from the House.

**SECOND ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

**INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 335--Relative to recognizing St. Patrick's Day Parade--By Murphy (Davidson).

Under the rules, House Joint Resolution No. 335 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 336--Relative to congratulating Tina Blankenship--By Duncan.

Under the rules, House Joint Resolution No. 336 was referred to the Committee on Calendar and Rules.

**INTRODUCTION OF BILLS**

House Bill No. 1995--To make appropriations, retiring certain state notes--By Bragg.

Passed first consideration.

House Bill No. 1996--To authorize issuance of bonds--By Bragg.

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Passed first consideration.

House Bill No. 1997--To fix compensation, election day officials--By Wheeler.

Passed first consideration.

House Bill No. 1998--To fix compensation, registrars-at-large--By Wheeler.

Passed first consideration.

House Bill No. 1999--To make certain provisions, property tax exemption--By Wheeler.

Passed first consideration.

House Bill No. 2000--To regulate absentee voting, sick and disabled--By Wheeler.

Passed first consideration.

House Bill No. 2001--To provide for election, Anderson County Board of Education--By Wheeler.

Passed first consideration.

**SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 1483--To enact Tennessee Imitation Controlled Substance Act of 1982.

Passed first consideration.

Senate Bill No. 1549--To regulate termination, certain rental agreement.

Passed first consideration.

Senate Bill No. 1553--To define "hotel".

Passed first consideration.

Senate Bill No. 1570--To amend Section 41-1219, Code.

Passed first consideration.

Senate Bill No. 1596--To regulate boiler inspection fees.

Passed first consideration.

Senate Bill No. 1601--To regulate Elevator Safety Board.



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Passed first consideration.

Senate Bill No. 1607--To amend Title 11, Chapter 10, Code.

Passed first consideration.

Senate Bill No. 1629--To amend Section 8-6-109, Code.

Passed first consideration.

Senate Bill No. 1657--To amend Title 55, Chapter 10, Code.

Passed first consideration.

Senate Bill No. 1732--To regulate Retailers Sales Tax Act.

Passed first consideration.

### **HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1897--To provide for Board of School Commissioners, Weakley County.

Passed second consideration and held without reference.

House Bill No. 1898--To provide for County Highway Commission, Weakley County.

Passed second consideration and held without reference.

House Bill No. 1899--To fix salary, general sessions judges.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1900--To make certain provisions, taxation laws.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1901--To regulate the leasing of real property.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1902--To vest certain jurisdiction, Board of Claims.

Passed second consideration and referred to Committee on State and Local Government.

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House Bill No. 1903--To establish program of parent loans for undergraduates.

Passed second consideration and referred to Committee on Education.

House Bill No. 1904--To amend Title 63, Chapter 7, Code.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1905--To regulate board of equalization, certain counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1906--To enact the Imitation Controlled Substances Act of 1982.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1908--To increase jurisdiction, certain general sessions courts.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1909--To regulate administration, small estates.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1910--To make certain provisions, litigation taxes.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1911--To amend Retailers Sales Tax Act.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1912--To define eligibility, attendance bonus, unused sick leave.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1913--To amend Section 49-214 (7), Code.

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Passed second consideration and referred to Committee on Education.

House Bill No. 1914--To authorize timber cutting, state property.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1915--To create a State Court Clerks' Conference.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1916--To make certain provisions, airport limousines.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1917--To create the Tellico Reservoir Development.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1918--To make certain provisions, divorces.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1919--To make certain provisions, motor vehicle accident reports.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1920--To make certain exemptions, "Retailers' Sales Tax Act".

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1921--To regulate taxation of gasohol.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 1922--To make certain provisions, automobile liability policies.

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Passed second consideration and referred to Committee on Commerce.

House Bill No. 1923--To amend Title 2, Chapter 10, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1924--To amend Section 57-4-306, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1925--To amend Title 33, Chapter 56, Code.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1926--To reorganize the Uniform Administrative Procedures Act.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1927--To regulate cost of lodging for jurors, criminal cases.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1928--To regulate jailer fees, certain cases.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1929--To provide for registration of Motor vehicles.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1930--To amend Section 49-603, Code.

Passed second consideration and referred to Committee on Education.

House Bill No. 1931--To provide for free license plates, certain veterans.

Passed second consideration and referred to Committee on Transportation.

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House Bill No. 1932--To provide for certain assessments of property.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1933--To provide for assessment of property.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1934--To make certain provisions, assessment of property.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1935--To require reporting of certain acts, correctional facilities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1936--To make certain provisions, Medical laboratories.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1937--To regulate duties of probation and parole officers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1938--To set requirements, board of paroles.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1939--To regulate department of correction.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1940--To set sentence for certain crimes.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1941--To enact the "Oversight of Federal Funds Act".

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Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1942--To provide coordination, transportation by State.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1943--To regulate Tennessee advisory commission, intergovernmental relations.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1944--To amend Chapter 509, Public Acts, 1981.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1945--To regulate savings and loan associations.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1946--To amend Chapter 3, Title 45, Code.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1947--To permit county judges to participate in retirement system.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1948--To provide for Profit Sharing Plan, state employees.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1949--To set compensation, county officers and clerks of courts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1950--To regulate merger of banks.

Passed second consideration and referred to Committee on Commerce.

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House Bill No. 1951--To make certain laws apply equally to men and women.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1952--To provide use of interest, money donated, public television.

Passed second consideration and referred to Committee on Education.

House Bill No. 1953--To regulate certain products subject to abuse.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1954--To enact the Montessori Schools and Teachers Act.

Passed second consideration and referred to Committee on Education.

House Bill No. 1955--To amend Sections 54-4-203 and 67-3047, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1956--To change boundary line, Hamilton and Rhea counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1957--To regulate restoration of citizenship.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1958--To make certain provisions, Appellate Court Nominating Commission.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1959--To define qualifications, county legislative body or board of education.

Passed second consideration and referred to Committee on State and Local Government.

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House Bill No. 1960--To make certain provisions, seizure of stolen vehicles.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1961--To regulate operation of bingo games and raffles.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 1962--To regulate transfer of title, motor vehicles.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1963--To make certain provisions, motor vehicle windows.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1964--To require notice of grand jury meetings.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1965--To provide for arrangement, certain material, ballots.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1966--To change boundaries, Union and Knox Counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1967--To change bank mergers.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1968--To redistrict state trial courts.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1969--To regulate Chattanooga Hospital Authority.



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Passed second consideration and held without reference.

House Bill No. 1970--To set jurisdiction, general sessions court, Pickett County.

Passed second consideration and held without reference.

House Bill No. 1971--To regulate sale, alcoholic beverages.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1972--To provide for supplemental voter registration.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1973--To set purchases, agri-industries, corrections.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 1974--To allow exemption, hunting and fishing license fee.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1975--To require licenses, shampooers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1976--To regulate school attendance.

Passed second consideration and referred to Committee on Education.

House Bill No. 1977--To amend Business Tax Act.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1978--To regulate inspections, health care facilities.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1979--To regulate prescribing and dispensing certain drugs.

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Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1980--To prohibit reflectorized windows, motor vehicles.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1981--To regulate board of examiners, architects and engineers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1982--To provide for cleanup of hazardous wastes.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1983--To amend Section 67-1101, Code.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1984--To clarify definition of "project", industrial development corporations.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1985--To regulate Medical Malpractice Review Board.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1986--To allow left-hand turns, certain situations.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1987--To make certain provisions, Department of Correction.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1988--To change nonresident license fees, trout fishing.

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Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1989--To create Tennessee Funding Assistance Agency.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1990--To amend Title 4, Chapter 15, Code.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1991--To set state senatorial districts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1992--To set United States Congressional Districts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1993--To set state senatorial districts.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1994--To amend Title 18, Chapter 2, Part 2, Code.

Passed second consideration and referred to Committee on State and Local Government.

### **REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Calendar for Wednesday, February 17, 1982: House Bills Nos. 1292, 1687, 1680, 1675, 1707, 1706, 1690, 1689 and 1630.

GILL, Chairman.

### **NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, the sponsor gave notice of his intention to consider the following measure from the Senate on Wednesday, February 17, 1982.

House Bill No. 656--McKinney

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ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1332, 1464, 1643, 1737, 1745, 1749, 1760, 1764, 1765, 1766, 1767, 1770, 1793, 1826, 1876, 1877, 1888 and 1892; and House Joint Resolutions Nos. 325, 326, 328, 329, 330, 332 and 333; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1198--To amend Small Estates Act;

1475--To regulate offence of driving while intoxicated;

1481--To regulate divorce proceedings;

1495--To define airport limousines;

1503--To amend Section 16-15-208, Code;

1548--To amend Section 8-21-701 (57), Code;

1557--To define eligibility, bonus for unused sick leave;

1590--To require bond, beauty pageants; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Kelley, House Bill No. 1963 was recalled from the Committee on Transportation.

On motion of Mr. Kelley, House Bill No. 1963 was withdrawn from the House.

On motion of Mr. Burnett, the House adjourned until 2:00 p.m., Wednesday, February 17, 1982.